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Office of the Inspector General
Evaluation and Inspections Division

Status of IDENT/IAFIS Integration

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EXECUTIVE SUMMARY

The Office of the Inspector General (OIG) has examined over the past several years the integration of the Immigration and Naturalization Service's (INS) and the Federal Bureau of Investigation's (FBI) automated fingerprint systems.¹ In 1999, the Department of Justice (Department) assigned the Justice Management Division (JMD) to lead the effort to integrate the INS's Automated Biometric Identification System (IDENT) and the FBI's Integrated Automated Fingerprint Identification System (IAFIS).

In December 2001, we evaluated the Department's progress at integrating IDENT and IAFIS and found that the integration project was a year behind schedule. We also reported that the INS planned to implement several interim measures to enhance IDENT until it is integrated with IAFIS. We conducted the current review to examine (1) whether the integration project was on schedule, (2) whether JMD planned for the continued development and deployment of the integration project after the INS transfer to the Department of Homeland Security (DHS), and (3) whether the INS had implemented its planned interim enhancements to IDENT.²

The primary finding of this review is that integration of IDENT and IAFIS continues to move slowly and has fallen another year behind schedule. We also found that the integration project is at risk of further delay because JMD did not develop a transition plan for continued management of the project once the INS transferred to the DHS in March 2003. The delays and lack of planning for the future of the integration project is even more troubling because the limited interim enhancements made by the Department to IDENT have had impressive results. For example, from January 2002 to mid-April 2003, the INS matched and positively identified the fingerprints of approximately 4,820 apprehended individual aliens with the fingerprint records of suspects wanted for a variety of serious criminal offenses, including 50 aliens wanted in connection with murder. These results demonstrated the extraordinary need for implementing timely an integrated IDENT/IAFIS system to identify criminal aliens and terrorists. Based on our review, we believe that there will be further delays to the integration project, and that these delays create continued risks to public safety and national security.

¹ *The Rafael Resendez-Ramirez Case: A Review of the INS's Actions and the Operation of Its IDENT Automated Fingerprint Identification System* (March 20, 2000); and *Status of IDENT/IAFIS Integration* (December 7, 2001).

² On March 1, 2003, the INS was transferred to the DHS, and its responsibilities divided among three bureaus: the Bureau of Citizenship and Immigration Services, the Bureau of Customs and Border Protection, and the Bureau of Immigration and Customs Enforcement. In this report we refer to the INS as it existed prior to March 1, 2003.

Results in Brief

The integration project has been further delayed. As of April 2003, the integration project was at least two years behind schedule. When we issued our December 2001 report, the major milestone for the integration project was deployment of the initial integrated version of the IDENT/IAFIS system. JMD delayed deployment of that integrated version from December 2001 until December 2002 in order to conduct a study of the downstream operational costs of the integration (Metric Study). Our current review found that JMD missed the December 2002 deployment date, and now plans to deploy the initial integrated version in December 2003 – two years later than originally planned.

According to JMD officials, the reason for the latest year-long delay was that the contractors and INS staff dedicated to the integration project were redirected in June 2002 to implement the National Security Entry-Exit Registration System (NSEERS).³ Thus, design and development of the first integrated version of IDENT/IAFIS were put on hold until NSEERS became operational. JMD expected that to occur by September 11, 2002, after which resources would revert to the IDENT/IAFIS integration project. However, the Department continued to identify additional NSEERS requirements, which kept the IDENT/IAFIS contractors working on NSEERS into March 2003. We found that despite the mounting delays, JMD neither prepared a revised schedule for completing the integration of IDENT and IAFIS nor informed the Deputy Attorney General or his immediate staff that the integration project was falling behind schedule.

We could not determine the impact of the latest delays on the final project completion date because the IDENT/IAFIS project schedule has not been updated. However, we found that the final completion probably will be delayed from the original Fiscal Year (FY) 2007 date because JMD's FY 2004 budget plans indicate they intend to continue funding the project in FY 2008 and beyond.

JMD did not develop a transition plan for continued management of the project once the INS transferred to the DHS. The March 2003 transfer of the INS from the Department to the DHS divides critical integration project responsibilities between two departments. JMD, which coordinates the integration project, and the FBI, which controls IAFIS, remain in the Department, while the INS and IDENT move to the DHS. JMD faces a major challenge because it must now manage the integration project between

³ On June 5, 2002, the Attorney General announced plans to strengthen the congressionally mandated entry-exit system. NSEERS is the initial step of a comprehensive entry-exit system and focuses on nonimmigrant aliens who pose potential national security risks. NSEERS collects nonimmigrant information and fingerprints.

agencies in different departments. Yet JMD did not develop a plan for the continued development and deployment of the integrated system prior to the INS transfer. Consequently, the integration project, already behind schedule, is likely to experience further delays. In our discussions with the Department and INS officials, we found no consensus regarding future management of the integration project.

Interim enhancements to IDENT have yielded significant results.

Although the integration project has been delayed, our review found that the Department has made interim enhancements to IDENT by adding to it fingerprint records from IAFIS. The INS and the FBI entered into IDENT 152,200 National Crime Information Center (NCIC) “wants and warrants” fingerprint records on individuals who were likely to be aliens (e.g., previously arrested by the INS).⁴ As a result of entering these records, since January 2002 the INS matched approximately 4,820 fingerprints of apprehended individual aliens with the fingerprint records of suspects wanted for a variety of serious criminal offenses, including at least 50 aliens wanted in connection with murder. The INS also added to IDENT 179,500 fingerprint records of people from countries subject to NSEERS registration. From September 2002 to mid-April 2003, this effort resulted in an additional 3,440 individual matches.

The addition of approximately 331,700 fingerprint records to IDENT is still well short of completely integrating 40 million FBI fingerprint records with over 4 million INS alien fingerprint records. As of April 2003 the Department still lacked the ability to fully exchange fingerprint records between the INS and other federal, state, and local law enforcement agencies. A fully integrated fingerprint system will improve the identification of aliens who are criminals or terrorists by ensuring that apprehended aliens are automatically checked against all automated IDENT and IAFIS fingerprint records and enabling other federal, state, and local law enforcement agencies to access INS data through IAFIS.

Conclusion

The integration of the IDENT and IAFIS automated fingerprint systems continues to proceed slowly. Since our last report in December 2001, the integration project has fallen another year behind schedule and is at risk of further delay because JMD has not planned for continued management of the project after the INS’s transfer to the DHS. Although each of the delays

⁴ Wants and warrants refer to the Wanted Persons file of the NCIC. The Wanted Persons file contains records on individuals with (1) outstanding warrants for serious misdemeanors or felonies, and (2) temporary felony wants. A temporary felony want is issued when a law enforcement agency must take prompt action to apprehend a person who has committed or is believed to have committed a felony.

incurred since JMD assumed responsibility for the integration effort in 1999 has been attributable to reasonable causes – the latest being development of NSEERS – at the current rate of progress integration of the two fingerprint systems is still years away.

The delays are all the more regrettable because the interim enhancements to IDENT demonstrated the value of an integrated fingerprint system for law enforcement officers and their efforts to protect the United States against criminal aliens and terrorists. Until the integration is complete, the INS, the FBI, and other law enforcement agencies remain unable to simultaneously query INS and FBI fingerprint records. Therefore, some aliens who should be detained will not be.

Given the proven benefits afforded by an integrated fingerprint system, the slow progress of the integration project represents an unacceptable risk to public safety and national security. Rather than extending the project, JMD instead should be seeking to expedite the project and complete the integration even before FY 2007. Immediate management attention to this critical project is essential to avoid additional delays, which will reduce the vulnerability of the United States to entry by criminal aliens and terrorists.

Recommendations

We made four recommendations to JMD to better manage the IDENT/IAFIS project and prevent further delays. We recommended that the Assistant Attorney General for Administration:

1. Coordinate with the DHS to identify the management, deployment, and operational issues raised by the INS transfer to the DHS;
2. Prepare a revised deployment plan with short- and long-range milestones to guide the integration project to the soonest possible completion;
3. Brief the Deputy Attorney General's office often on the revised deployment plan, and identify management controls and resources for the integration project; and
4. Produce quarterly reports on the progress and interim results of the Metric Study.

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BACKGROUND

The Office of the Inspector General (OIG) conducted this review to examine the Department of Justice's (Department) progress at integrating the Immigration and Naturalization Service's (INS) Automated Biometric Identification System (IDENT) and the Federal Bureau of Investigation's (FBI) Integrated Automated Fingerprint Identification System (IAFIS).⁵

Since 1998, the OIG has conducted four reviews (including the current review) and testified three times before Congress regarding IDENT and the efforts to integrate IDENT and IAFIS. Our first report, *Review of the [INS's] Automated Biometric Identification System (IDENT)* (March 1998), examined the status of the INS's implementation of IDENT. Subsequent OIG reviews and testimonies, which reported on the status of efforts to integrate IDENT and IAFIS, include *The Rafael Resendez-Ramirez Case: A Review of the INS's Actions and the Operation of Its IDENT Automated Fingerprint Identification System* (March 20, 2000); *Status of IDENT/IAFIS Integration* (December 7, 2001); *Statement of Glenn A. Fine, Inspector General, before the House Judiciary Committee, Subcommittee on Immigration and Claims* (October 11, 2001); *Statement of Glenn A. Fine, Inspector General, before the Senate Judiciary Committee, Subcommittee on Technology, Terrorism, and Government Information* (October 12, 2001); and *Statement of Glenn A. Fine, Inspector General, before the National Commission on Terrorist Attacks Upon the United States* (April 1, 2003).

This Background Section describes the development of the IDENT and the IAFIS automated fingerprint identification systems, and provides a brief history of the efforts by the INS and the FBI to integrate the systems. The next section, Results of the Review, describes our findings regarding the progress since December 7, 2001, by the Justice Management Division (JMD), the INS, and the FBI to integrate IDENT and IAFIS. In the final section, we provide four recommendations for improving the management of the IDENT/IAFIS project.

⁵ Biometrics are biological measurements unique to each person, such as fingerprints, hand geometry, facial patterns, retinal patterns, or other characteristics that are used to identify individuals. Fingerprints are the most common biometric used by law enforcement agencies. IDENT was developed as a biometric component of the INS's Enforcement Case Tracking System (ENFORCE), a case management system that documents and tracks the investigation, identification, apprehension, detention, and removal of immigration law violators.

I. A Brief History of IDENT and IAFIS

The INS's IDENT. In 1989, Congress provided the initial funding for the INS to develop an automated fingerprint identification system. The purpose of the system was to identify and track aliens who were apprehended repeatedly trying to enter the United States illegally.⁶ The system also was intended to identify apprehended aliens suspected of criminal activity such as alien smuggling, aliens subject to removal for conviction of aggravated felonies, and aliens who had been previously deported.

The INS and the FBI discussed developing a joint fingerprint system as early as 1990. However, the concept of integration did not progress beyond the discussion stage because the INS and the FBI had significantly different operational requirements for their fingerprint systems. The primary difference was the issue of using two fingerprints versus ten fingerprints. Because the Border Patrol frequently apprehended large groups of illegal aliens, the INS required that an automated fingerprint system provide a response within two minutes. To meet that requirement, the INS decided that it would implement an automated fingerprint system using two fingerprints and a photograph. In contrast, the FBI, following standard law enforcement protocols, planned on a system using ten fingerprints and requiring an optimum response time of two hours. Consequently, in the 1990s, the two agencies developed independent and incompatible systems, IDENT and IAFIS, to meet their own fingerprint needs.

Between 1991 and 1994, the INS conducted several studies of automated fingerprint systems, primarily in the San Diego, California, Border Patrol Sector. These studies demonstrated to the INS the feasibility of using an automated fingerprint system to identify a large number of apprehended aliens at a time. In September 1994, Congress provided \$27 million for the INS to deploy IDENT. In October 1994, the INS began using the system, first in the San Diego Border Patrol Sector and then in other Border Patrol sectors along the southwest border.

In the 1996 Illegal Immigration Reform and Immigrant Responsibility Act, Section 326, Criminal Alien Identification System, Congress specifically

⁶ The INS developed IDENT to provide a more reliable method for identifying aliens who made multiple attempts to enter illegally (recidivists) or who had committed criminal offenses. The INS needed to track how many times aliens were apprehended because, due to the high number of aliens illegally crossing the southwest border, United States Attorney's Offices (USAO) generally declined to prosecute aliens unless they were recidivists or suspected of other criminal activity. Thresholds vary among the USAOs, but generally an alien must be apprehended multiple times on the southwest border before the USAO will accept the case from the Border Patrol. Without a biometric system, the INS had to rely on checking the names provided by the apprehended aliens against INS databases or other records.

directed the INS to expand the use of IDENT “to apply to illegal or criminal aliens apprehended Nationwide.” This Act also directed the INS to:

operate a criminal alien identification system . . . to assist Federal, State, and local law enforcement agencies in identifying and locating aliens who may be subject to removal by reason of their conviction of aggravated felonies, subject to prosecution . . . [because they were] not lawfully present in the United States, or otherwise removable. Such [a] system shall include providing for recording of fingerprint records of aliens who have been previously arrested and removed into appropriate automated fingerprint identification systems.

The INS identified IDENT as the system that it would use to meet this congressional directive.

To enroll an alien in IDENT, an INS officer scans the alien’s index fingers with the IDENT fingerprint scanner, takes the alien’s photograph with the IDENT camera, and enters certain biographical information into the system. The aliens who are fingerprinted and enrolled into IDENT include aliens arrested by the Border Patrol attempting illegal entry into the United States, certain aliens inspected at ports of entry, and aliens encountered in the course of law enforcement actions. Within minutes, IDENT electronically compares the alien’s two fingerprints to:

- A lookout database in IDENT that contains the fingerprints and photographs of aliens who have been (a) removed previously, (b) convicted of aggravated felonies, multiple crimes, or crimes of moral turpitude, and (c) determined inadmissible due to national security concerns; and
- An apprehension (recidivist) database in IDENT that contains fingerprints and photographs of over four million illegal aliens who have been apprehended by the INS, enrolled in IDENT, and then permitted to voluntarily depart the United States or withdraw their applications for admission at ports of entry. This database contains alerts on aliens who have an administrative final order of removal or do not meet the criteria for a lookout record but for whom there is an officer safety concern.

In the OIG’s March 1998 report, we evaluated the INS’s use of IDENT and found that the INS enrolled into IDENT less than two-thirds of the aliens apprehended along the southwest border. In addition, the INS enrolled only 41 percent of the aliens removed or excluded in FY 1996, and only 24 percent of the IDENT fingerprint records had accompanying photographs, even though

the INS relied on photographs to confirm identification. We found virtually no controls in place that ensured the quality of data entered into IDENT. As a result, we found duplicate records and invalid data. We also stated our concern that the INS had not provided sufficient training to field staff on the use of IDENT. We concluded that these failures hampered the INS's ability to make consistent and effective use of IDENT.

The FBI's IAFIS. Since the 1920s, the FBI's Identification Division has maintained a central repository of ten-print fingerprint cards of criminal offenders. In 1989, the FBI Director asked the Advisory Policy Board (APB), composed of approximately 30 representatives from the federal, state, and local criminal justice community, to provide advice and guidance on fingerprint identification issues. In February 1990, the APB recommended that the FBI overhaul its paper-based identification system and create a new system, IAFIS, that would allow electronic searches for fingerprint matches.

In contrast to the INS, the FBI uses its fingerprint system not only to positively identify an individual in custody, but also to meet other standard law enforcement needs, such as identifying fingerprints found at crime scenes. Because fingerprints at crime scenes may be from any finger, the long-established law enforcement standard requires that officers take prints from all ten fingers. Further, unlike the Border Patrol, the FBI and other law enforcement agencies do not routinely apprehend large groups of suspects, and, accordingly, do not face the processing time constraints that the INS faced.

To meet its needs, the FBI decided that its fingerprint system, IAFIS, would contain all ten fingerprints and provide a response in as little as two hours for high priority electronic requests (for lower priority and non-electronic requests, a longer response time would be allowed). A fingerprint examiner also analyzes and confirms the match made by IAFIS. IAFIS became operational in July 1999. It contains more than 40 million 10-print fingerprint records in its Criminal Master File and is connected electronically with all 50 states and some federal agencies.⁷

II. A Brief History of the Integration Project

JMD Assigned to Review IDENT and IAFIS. In 1998, in response to congressional questions about duplication between the INS and FBI systems, the Department assigned JMD to report on the feasibility of converting IDENT to a ten-fingerprint system. On May 28, 1998, JMD proposed that the long-term goal of the Department should be to adopt ten-fingerprint enrollment as

⁷ The IAFIS Criminal Master File is the file that contains the ten-fingerprint records.

the standard while retaining IDENT to meet the INS's specific requirements. JMD concluded that this concept was:

the unanimous choice of those who have been involved in the IDENT-IAFIS fingerprint issue, i.e., JMD, the FBI, the Border Patrol, and the INS. Properly funded, the option will permit the Border Patrol to maintain its current processing times while providing other law enforcement agencies with a voluminous fingerprint database that can be searched to solve crimes committed in the communities. At the same time, by retaining IDENT, the Border Patrol is able to capitalize on the benefits that system has to provide as an intelligence-gathering and investigative tool. Moreover, the rest of the INS will be able to continue its plans to integrate IDENT with other internal functions unique to the Service.

The Rafael Resendez-Ramirez Case. In 1999, the shortcomings in the Department's ability to identify apprehended aliens were vividly and tragically brought to public attention in the case of Rafael Resendez-Ramirez (Resendez), known as the "railway killer." Resendez, a Mexican citizen with an extensive criminal record, was sought in 1999 for several brutal murders in the United States. Although the INS was notified that other law enforcement agencies had issued warrants for Resendez, the INS agents who received the notification of the outstanding warrants did not enter his fingerprint records into the IDENT lookout database because they were unfamiliar with IDENT or thought it was the job of others to enter the information.

On June 1, 1999, Border Patrol agents detained Resendez after he illegally crossed the southwest border into the United States. The IDENT system identified him as a recidivist; but, because he was not included in the lookout database, nothing in IDENT alerted the Border Patrol that Resendez was wanted by the FBI and local law enforcement authorities for murder. Therefore, the Border Patrol did not detain Resendez, but followed its standard policy and voluntarily returned him to Mexico. Within days, Resendez illegally returned to the United States and committed four more murders before surrendering to law enforcement authorities on July 13, 1999.

In July 1999, a House Committee on Appropriations' report, with the Resendez incident clearly in mind, stated, ". . . [T]he Committee repeatedly raised concerns that IDENT was not integrated with FBI's IAFIS database." The House report also demanded that federal, state, and local law enforcement agencies should have access to INS fingerprint information, and that the INS needed full access to the FBI criminal history records.

On March 20, 2000, the OIG issued its report, *The Rafael Resendez-Ramirez Case: A Review of the INS's Actions and the Operation of Its IDENT*

Automated Fingerprint Identification System. We found that the INS was unable to identify whether apprehended aliens were wanted felons because IDENT could not access the FBI's newly automated criminal fingerprint database (IAFIS) to check for outstanding warrants on the aliens. The OIG recommended that technology be used to effectively provide what the IDENT lookout database did not – a check of all apprehended aliens to determine if they have serious criminal records, prior orders of deportation, or any outstanding arrest warrants. The report concluded that the Department and its components should aggressively and expeditiously link the FBI and INS automated fingerprint systems.

Fingerprint Summit and Integration Project Studies. In the Department's FY 2000 appropriation, Congress directed that the Department conduct three studies to examine the feasibility of IDENT/IAFIS integration. In response to the congressional directive, the Department assigned JMD to coordinate its efforts to develop an integration plan. JMD convened a "Fingerprint Summit" meeting on August 12, 1999, attended by representatives from the FBI and the INS to discuss a plan for integrating IDENT and IAFIS. At the meeting, the participants created a conceptual model for integrating IDENT and IAFIS. Key elements of the model required that federal, state, and local law enforcement agencies be able to access the INS's fingerprint records through IAFIS, and that the INS be able to check fingerprints of apprehended aliens against all fingerprint records in IAFIS.

To support the integration project, in FY 2000 and FY 2001, the Department conducted the studies:

- The Operational Impact Study. This one-week study was conducted in the summer of 2000 at two INS locations. It assessed the impact on INS's law enforcement operations at the border if enforcement personnel were required to take ten fingerprints and check them against the FBI's IAFIS files. The study concluded that taking ten fingerprints was feasible if the INS could receive a response from the FBI within ten minutes.
- The Engineering/System Development Study. This study defined the engineering requirements and costs for integrating IDENT and IAFIS. The contractor conducted an image quality study to see how the existing ten-fingerprint IAFIS would perform when searched using two-fingerprint IDENT data. In December 2000, the study concluded that IAFIS could not be searched using the IDENT two fingerprints in the volume and within the response time that the INS required. The study proposed an alternative approach requiring the INS to collect ten fingerprints (in addition to continuing to separately take two fingerprints for IDENT). JMD would closely monitor research in

biometrics technology that could allow INS to take less than ten fingerprints to compare against IAFIS and obtain reliable results. The study estimated that the cost to develop, deploy, and maintain a system to support taking ten fingerprints at all INS locations would be approximately \$450 million to \$570 million between FY 2002 and FY 2007.

- The Criminality Study. This study estimated the number of criminal aliens that the INS would identify if all apprehended aliens' fingerprints were checked against IAFIS fingerprint records. The study, conducted in the summer of 2001, involved matching a sample of 15,000 alien records entered into the IDENT recidivist database between 1998 and mid-2000 against IAFIS fingerprint records. The study found that approximately 3.1 percent of the sampled aliens either had known criminal histories or active wants and warrants, 3.4 percent had criminal charges without dispositions (possible acquittals, convictions, charges dropped or pending adjudication), and an additional 2 percent had administrative removals from the United States. The study projected that a total of 136,000 (8.5 percent) of the approximately 1.6 million aliens apprehended each year by the Border Patrol and currently allowed to voluntarily depart would instead be further detained and some form of additional law enforcement action would be required. Based on the sample, a resource analysis estimated that the costs to achieve the integrated database ranged from \$1.2 billion to \$1.9 billion (including systems and operational costs) from FY 2002 to FY 2007.⁸

JMD questioned the conclusions of the Criminality Study because its scope was limited, and decided not to use the results for future development and deployment decisions. In particular, JMD was concerned that the resource cost estimates only measured Border Patrol activity along the southwest border, that much of the data was up to three years old, and that the cost projections did not account for USAO prosecution criteria, which varied across the country.

In August 2001, JMD planned a Metric Study that would evaluate seasonal immigration fluctuations and more accurately project the potential operational impact and downstream operational costs of implementing an

⁸ The operational costs refer to the additional resource requirements for the Border Patrol that may result due to the identification of criminal aliens, combined with the cost of the integration project from FY 2002 through FY 2007. The study did not include all downstream operational costs to other Department components that would be affected by the increased workload, such as the United States Marshals Service, Federal Bureau of Prisons, Executive Office for Immigration Review, and USAOs.

integrated fingerprint system.⁹ In February 2003, Congress directed the Department to submit a Cost and Operational Effectiveness Assessment on the estimated operational costs of the integration project by June 2003.¹⁰ JMD intended to use the Metric Study for this purpose.

Previous Deployment Plans. According to the January 12, 2001, JMD FY 2002 budget request, IDENT/IAFIS would be developed and deployed in four major versions, culminating in the full integration of IDENT and IAFIS in FY 2007 (see Table 1). Each major version can have incremental versions. According to the initial implementation plan, the FBI would maintain the integrated system. The entire project was budgeted at \$571 million, which included \$125 million for maintenance of IDENT, but included nothing for the downstream operational costs to the INS or other components. The initial stage of IDENT/IAFIS, Version 1, would be deployed in FY 2001.

Table 1 IDENT/IAFIS Versions January 2001			
Version	Development Date	Deployment Date	Capabilities
1	FY 2001	FY 2001	Ten-fingerprint workstation capable of querying IDENT using index fingers and IAFIS using ten fingers. Displays IDENT and IAFIS responses. Archives the ten-fingerprints for use by future versions. IAFIS electronically transmits criminal history records for matches. (Version 1 has several increments referred to as Version 1.1, Version 1.1.1, Version 1.1+, and Version 1.2.)
2	FY 2002	FY 2003	Transfers archived ten-fingerprints into searchable files (Apprehension File).
3	FY 2003 to FY 2004	FY 2004	Federal, state, and local law enforcement agencies able to search the Apprehension File through IAFIS.
4	FY 2004 to FY 2007	FY 2006 to FY 2007	Full search capabilities of the Apprehension File that have yet to be determined.

Source: INS Project Documents

⁹ JMD planned to collect the following data for its Metric Study: IAFIS response times, IAFIS hit rate, criminal history review, IDENT hit rate, image capture and quality, image printing, IDENT/IAFIS mismatches, and search accuracy of rolled versus flat fingerprint comparisons.

¹⁰ Although this requirement was included in the Senate Conference Report accompanying the Department's FY 2003 Appropriations Bill, JMD knew as early as July 2002 that it would be required to submit the report.

In August 2001, however, JMD revised its integration plan and slowed down the project. Based on the mandated studies, JMD concluded that the greatest obstacles facing the integration project were not system development or technical issues, but operational issues related to the Department's ability to handle the additional workload and costs projected by the Criminality Study. Because it questioned the accuracy of those projections, JMD decided to slow the pace of the project to study the additional workload and costs. JMD also wanted to monitor developing biometric technologies to ensure that the Department did not commit large sums of money to an integration plan that would not take advantage of technological advances.

As a result of this decision to slow the project's pace, JMD also reduced its original FY 2002 budget request for the project from \$38 million to \$9 million. The \$9 million would fund, among other things, studies of data collected by deploying Version 1.1 to eight sites by February 2002 and an additional ten field sites by July 2002. JMD projected that Version 1.2 would be deployed by the end of December 2002.

Taken together, those decisions meant that the time frame for completing the first integrated version of IDENT and IAFIS would be set back one year. Budgeting for completion of the full integration plan was still projected to be FY 2007, but would be re-evaluated as the results of the pilot tests and field site deployments were analyzed over the following two years.

The USA PATRIOT Act. On October 26, 2001, in the wake of the September 11 terrorist attacks on the United States, the President signed the USA PATRIOT Act of 2001, Public Law 107-56 (Patriot Act). The Patriot Act directs the expedited implementation of an integrated entry and exit data system, including the use of biometric technology, so that federal law enforcement organizations can better identify and detain individuals who pose a threat to national security. The Patriot Act requires that the FBI share wanted persons information in IAFIS with the INS to determine whether an applicant for admission at a port of entry has a criminal record, and that the Attorney General report to Congress on enhancing IAFIS and other identification systems to better identify aliens who may be wanted before their entry or exit from the United States. Subsequent Departmental responses to Congress regarding pertinent provisions of the Patriot Act indicated that an integrated IDENT/IAFIS is an integral tool to identify terrorist or criminal aliens attempting to enter the United States.

OIG December 2001 Report on the Integration of IDENT and IAFIS. In December 2001, we conducted a follow-up review to determine the status of efforts to integrate IDENT and IAFIS. The primary finding of our follow-up review, similar to the conclusions in our March 2000 report, was that the Department had moved slowly toward integrating the two fingerprint systems. We recommended that the Department continue expeditiously to seek linkage

of the FBI and INS automated fingerprint systems, and continue to use IDENT while the integration was proceeding. Based on a recommendation in the OIG March 2000 Resendez report, we also supported the INS and FBI interim measure of immediately adding IAFIS fingerprint records for aliens with outstanding wants and warrants to the IDENT lookout database. We also recommended in the December 2001 report that the fingerprint records of known or suspected terrorists be added to the IDENT lookout database.

III. Scope and Methodology

During this review begun in November 2002, we interviewed 26 individuals, including officials from the Office of the Attorney General, JMD, the INS, the FBI, and government contractors. In addition, we reviewed over 200 documents including deployment plans, risk analysis studies, status reports, test and evaluation plans, progress assessments, meeting minutes, and technical manuals. We also observed a demonstration of the IDENT/IAFIS training module at INS headquarters. In addition, we visited the INS port of entry at Dulles International Airport to observe IDENT/IAFIS operations and interview INS staff.

RESULTS OF THE REVIEW

The integration of the IDENT and IAFIS automated fingerprint systems continues to proceed slowly. Since our last report in December 2001, the integration project has fallen another year behind schedule. We also found that the project is at risk of further delay because JMD did not develop a plan for managing the project once the INS transferred to the DHS in March 2003. The slow progress is all the more troublesome because interim enhancements to IDENT, which resulted approximately 4,820 positive identifications of wanted aliens, demonstrated the enormous potential for an integrated fingerprint system to help protect the United States against criminal aliens and terrorists. Given the proven benefits afforded by an integrated fingerprint system, the slow progress of the integration project represents a risk to public safety and national security.

The Integration Project Has Been Delayed Another Year

At the time of our December 2001 report, the major pending milestone for the integration project was deployment of the initial integrated version of the IDENT/IAFIS system (Version 1.2). Our December 2001 report found that the deployment schedule for the initial integrated version had been delayed by at least one year to December 2002. That delay occurred because JMD, after questioning the results of the Criminality Study, slowed the project until it could conduct an additional study of the downstream operational costs of the integration. Our current review found that the integration project was sidetracked again in June 2002 when IDENT/IAFIS resources were redirected to another high priority project (NSEERS). As a result, the scheduled deployment of Version 1.2 was further delayed until December 2003, two years later than originally planned.

We were unable to determine the extent to which the latest delay will push back the final completion date of the integration project because the overall project schedule has not been updated. However, we found indications that the project will not meet the planned FY 2007 final completion date for the integration. Specifically, JMD's FY 2002 budget request identified the funding requirement for the integration project as extending through FY 2007. However, JMD's FY 2003 budget request extended funding for the integration project through FY 2012. That was modified in JMD's FY 2004 budget plan, which indicates that they intend to continue funding the project in FY 2008 and beyond. Although the FY 2004 JMD project schedule budget no longer goes out to FY 2012, the latest delay, combined with the extended budget

request, strongly indicates that the integration of IDENT and IAFIS will not be completed by FY 2007. Table 2 summarizes the status of all IDENT/IAFIS versions deployed or planned as of the date of this report.

Table 2 IDENT/IAFIS Versions as of April 2003		
Version	Deployment Date	Capabilities
1.0	September 2000	Searches IAFIS and returns FBI number automatically, but not the Record of Arrests and Prosecutions (RAP) sheet, which provides the criminal history. Requires separate search of NCIC to obtain RAP sheet. Uses large stand-alone ten-fingerprint scanner.
1.1	Summer 2002	Returns RAP sheet automatically. Requires dual processing of fingerprints and data entry to search IDENT and IAFIS. Collects operational information and improves computer security.
1.1.1	Fall/Winter 2002	Collects some metric information. Replaces stand-alone ten-fingerprint scanners with tabletop scanners. Upgradeable to later versions. Includes the booking function.
1.1+	Delayed until July 2003	Eliminates dual processing. Ten fingerprints are entered only once to enroll an alien and query both IDENT and IAFIS. Uses IDENT photograph. Collects better metric information in a real operational environment.
1.2	Delayed until December 2003	Collects one to four FBI compliant mugshots. Automatically submits ten-fingerprint card to INS for aliens to be entered into lookout database. Meet upgraded performance specifications. Interface to enable IAFIS data to be recorded in ENFORCE/IDENT. IAFIS query responses integrated with IDENT responses per subject.
2	FY 2003*	Transfers archived ten-fingerprints into searchable files (Apprehension File).
3	FY 2004*	Enables federal, state, and local law enforcement to search the Apprehension File through IAFIS.
4	FY 2006 to FY 2007*	Full integration. Full capabilities have yet to be determined.

* Original deployment schedule, not revised to reflect latest delays.

Source: INS Project Documents

Although Version 1.2 was not deployed on time, JMD did make some progress since our last report. In the fall of 2002, JMD deployed a nonintegrated version of IDENT (designated Version 1.1.1) that included the equipment and some of the software enhancements that would be necessary to enable the first integrated version to be deployed once it is developed and

added the electronic booking functions.¹¹ As of mid-March 2003, Version 1.1.1 has been deployed to 51 sites. The Metric Study design was also completed, the metric sites selected, and a special metrics database created that will automatically collect the required data.

Deployment delays impacted the study of downstream operational costs and reporting to Congress. As described earlier in the report, in August 2001 JMD questioned the conclusions of the Criminality Study regarding the downstream operational costs of integration, and planned to conduct a 12-month Metric Study to develop more accurate estimates. For that purpose, JMD needed to deploy a version that would require only one entry of biographical information and one set of ten fingerprints to query both IDENT and IAFIS. JMD originally planned on using Version 1.2 because, under the original plans, it would be the first version to meet that requirement.¹²

In May 2002, after deployment of Version 1.2 was delayed, JMD developed an alternate plan for obtaining the data needed for the Metric Study. JMD proposed to develop a version (designated Version 1.1+) that would be scaled back in functionality from Version 1.2, but which would still meet its data collection needs by requiring only one entry of biographical information and one set of ten fingerprints to search both IDENT and IAFIS. JMD initially planned to deploy Version 1.1+ by December 2002, but missed this milestone due to the previously discussed redirection of resources to NSEERS. As of April 2003, Version 1.1+ had not yet been deployed to its first testing location. JMD told us it was planning to begin deploying Version 1.1+ in May 2003, finish by August 2003, and collect Metric Study data over the following 12 months.

The continuing delays in deploying an integrated version of IDENT/IAFIS also will affect the ability of the Department to meet the congressional deadline to report on the downstream operational costs of integration by June 2003. Because the Metric Study will not start until after that deadline, as of April 2003 JMD was planning to use data collected from the nonintegrated Version 1.1.1 sites, along with any data that might be available from early deployment sites of Version 1.1+, to prepare the Department's June 2003 report to Congress.

¹¹ Booking is an administrative step taken after a person is arrested and involves recording the suspect's name, the criminal offense with which the suspect is being charged, and other pertinent facts and taking the suspect's fingerprints and photograph.

¹² The earlier versions still used a two-step data entry and fingerprinting process. In those versions, INS officers entered the aliens' background information into different workstations for IDENT and IAFIS. Often, those workstations were in different parts of the building. The aliens had to be fingerprinted for an IDENT query at one workstation and then fingerprinted again at another workstation for an IAFIS query. The INS officers would then receive two responses – one from IDENT and another from IAFIS.

We question JMD's approach to meeting the congressional requirement because, according to JMD's own reasoning, the data it plans to use to prepare the cost projections for Congress will be of limited value. First, most of the data will be collected using the nonintegrated (two-step) fingerprinting process of Version 1.1.1. JMD delayed conducting the Metric Study precisely because it believes that data from a nonintegrated version cannot be used to accurately project the operational impacts of an integrated (one-step) fingerprinting process. Second, in Version 1.1.1, the separate results of the searches of IDENT and IAFIS are not automatically matched with each other. That matching is needed to determine which system provided the response that resulted in an alien being detained and, from that data, to project how many more aliens may be detained under an integrated IDENT/IAFIS than under IDENT alone. Projecting the number of additional detentions is essential for projecting downstream operational costs of the integrated system. Given the apparent limitations on the data that JMD plans to use to prepare its June 2003 report to Congress, we are concerned that any cost projections based on that data will not be reliable. In his May 22, 2003 response to our draft report, the Assistant Attorney General for Administration told us that JMD will advise Congress that the "data is not suitable for drawing national conclusions or making projections."

NSEERS delayed deployment of Version 1.1+ but JMD did not apprise senior Department officials of the delays. According to JMD and INS officials, the deployment of Version 1.1+ and Version 1.2 was delayed because of the requirement to develop and deploy NSEERS. After the Attorney General announced the NSEERS project in June 2002, JMD recommended that IDENT/IAFIS support NSEERS because JMD believed that it would benefit the IDENT/IAFIS project.¹³ The INS therefore directed the contractors and staff working on IDENT/IAFIS to instead work on the NSEERS project. On August 12, 2002, the Attorney General directed that NSEERS be operational by September 11, 2002. JMD expected that, after September, the INS contractor would resume working on the IDENT/IAFIS integration. However, the Department requested a series of modifications to NSEERS, and work on those modifications continued into March 2003, preventing the INS contractor from returning full-time to the integration project.

In addition to resource issues, technical issues related to NSEERS also caused delays in the IDENT/IAFIS integration project. The integration of IDENT/IAFIS and the development of NSEERS both required modifications to the INS's ENFORCE and IDENT systems.¹⁴ INS project staff told us that they

¹³ The implementation of NSEERS enhanced the IDENT/IAFIS effort in one way. To support NSEERS, funding was provided for an additional 31 Version 1.1.1 IDENT/IAFIS sites, which raised the number of sites that would receive Version 1.1.1 in FY 2002 from 18 to 49.

¹⁴ ENFORCE is a case management system that documents and tracks the investigation, identification, apprehension, detention, and removal of immigration law violators.

concluded that it was risky to modify ENFORCE for the two projects simultaneously. Consequently, while ENFORCE was being modified for each of the five NSEERS upgrades deployed between September 2002 and March 2003, work to support the integration project periodically stopped, often for weeks at a time.

JMD project managers and their INS counterparts recognized immediately that NSEERS would delay the integration project, and discussed integration project delays at weekly JMD project meetings as early as July 2002. However, we found that JMD never brought these concerns to the attention of the Attorney General, the Deputy Attorney General, or their staffs, despite frequent opportunities to do so. The Counsel to the Attorney General who directed the NSEERS project, attended frequent Departmental NSEERS progress update meetings with JMD representatives. However, in January 2003 he told us that he was unaware that NSEERS continued to adversely impact the integration project.¹⁵ The then-Acting Assistant Attorney General for Administration led the IDENT/IAFIS integration project in his role as the Director of the JMD Management and Planning Staff. He stated that until January 2003 he believed that any delays would be minor and not of enough significance to discuss them with the Deputy Attorney General. He stated that he did not learn the full extent of the delays until January 9, 2003. However, even then he did not bring the issue to the attention of the Deputy Attorney General or his staff.

The failure of JMD to inform senior officials of the delays, particularly when the NSEERS modifications continued after September 2002, precluded them from taking actions to mitigate the delays and keep the integration project on schedule. These actions could have included providing additional resources and coordinating the development of NSEERS upgrades with the integration project so that both projects could proceed.

JMD Has No Transition Plan for Managing the Integration Project

JMD has failed to address the serious management challenges created by the INS's March 1, 2003, transfer to the DHS. We found that JMD has no transition plan to resolve basic management questions regarding the future development and deployment of the integrated system. In the absence of an effective transition plan, responsibility for the project is unclear and further delays are likely. During our interviews, we identified two important consequences of JMD's lack of transition planning.

¹⁵ The Counsel added that it was his opinion that had someone advised the Office of the Attorney General that NSEERS development was delaying the IDENT/IAFIS integration project, it would not have made a difference in the project resource assignments.

Lack of Consensus. First, there is a lack of consensus among project participants regarding who should manage the future development and deployment of IDENT. The then-Acting Assistant Attorney General for Administration told us that he was concerned that the transfer of the INS to the DHS may jeopardize further integration of IDENT and IAFIS, as the two agencies use the integration project to further their differing priorities. He believed that JMD should continue as the project manager because:

- Even though the INS will be the largest single user, the FBI will continue to “own” the integrated system (IAFIS).
- The downstream effects of a fully integrated system will have a significant impact on Department components.
- As the DHS becomes operational, many projects and issues will vie for management support putting the integration project at risk of becoming a low management priority.¹⁶

The Counsel to the Attorney General who directed NSEERS told us he strongly supported keeping management responsibility for IDENT/IAFIS integration project within the Department. He cited the obvious ties of IAFIS to the FBI. The Assistant Director of the FBI’s Criminal Justice Information Systems said that, to his knowledge, the FBI did not have a position on this issue, but he believed that JMD would be the best manager because “it has been a good broker between the competing interests in the past” and has experience in managing the project. In addition, he believed that the DHS, as a new department, will be inundated with management issues and may not focus on the integration project.

In contrast to statements by JMD officials, the Counsel to the Attorney General, and FBI officials, the INS’s Deputy Assistant Commissioner for the Office of Inspections took the opposite position regarding management of the integration project. He believed that the integration project would be a valuable asset for homeland security and as such integration project management should move to the DHS. Further, because key contractors working on the project are INS contractors, the technical expertise will move with the INS to the DHS and the integration project management responsibility also should be at the DHS.

¹⁶ However, the then-Acting Assistant Attorney General for Administration said that he did not formally present his views to the Attorney General or the Deputy Attorney General, and JMD did not develop a formal transition plan for the integration project because he assumed that the Department would continue to manage the integration project after the INS moved to the DHS.

Loss of Expertise. The second consequence of the transfer of the INS to the DHS is that the integration project expertise may be lost. As the DHS establishes its new organizational structure and reassigns staff accordingly, some of the individuals with the most expertise in the integration project are being assigned to other duties. For example, we verified that the INS's Biometrics Program Manager for Field Operations and the INS's Director of Enforcement Systems for Information Resource Management have been assigned to the DHS Bureau of Immigration and Customs Enforcement. Before the INS transfer, they worked closely with INS Inspections, the Border Patrol, the FBI, and JMD on the IDENT/IAFIS project. However, in their new positions, they will no longer be involved with INS Inspections or the Border Patrol. Therefore, their knowledge of the integration project may be lost.

The transfer of the INS to the DHS presents a major challenge for JMD to manage the integration project between the departments. Yet, JMD does not have a comprehensive plan for the continued development and deployment of the integrated system after the INS transfer. Because of the lack of consensus among project participants, the potential loss of project expertise, and the failure of JMD to initiate meaningful discussions with the DHS, we believe that the integration project is likely to be further delayed.

Interim IDENT Enhancements Yielded Significant Results, but Full Integration is Needed to Protect Public Safety and National Security

In our December 2001 report, we reported that the full integration of IDENT and IAFIS would be significantly delayed. At that time, the INS was planning interim enhancements to improve the utility of IDENT until a fully integrated IDENT/IAFIS system was deployed. Those enhancements included deploying additional IDENT workstations to other Border Patrol stations, ports of entry, and district offices, and adding fingerprint records for alien wants and warrants to IDENT.¹⁷ In our report, we supported the INS's planned actions, and further recommended that the INS add fingerprint records of known or suspected terrorists into IDENT.

In December 2001, the INS, in coordination with the FBI, identified and loaded into IDENT approximately 80,000 wants and warrants fingerprint records from IAFIS. They selected fingerprint records based on various criteria such as a previous INS arrest. Since December 2001, the INS updates IDENT with new IAFIS fingerprint records on a biweekly basis, usually adding about 1,000 new records each time. As of mid-April 2003, IDENT contained about 152,200 wants and warrants fingerprint records.

¹⁷ Since December 2001, the INS deployed an additional 1,600 workstations. In FY 2003, the INS plans to deploy an additional 300 to 400 IDENT workstations.

The uploading of the IAFIS records into IDENT produced significant results. Since January 2002, the INS positively identified the fingerprint matches of approximately 4,820 apprehended individual aliens with those of suspects wanted for criminal offenses including property crimes, immigration-related offenses, drug trafficking, violent crimes, and drug possession. According to INS records, 50 of the positive identifications involved aliens wanted in connection with murder. In addition to the 152,200 wants and warrants fingerprint records, the INS worked with the FBI to add fingerprint records (from IAFIS) that correspond to NCIC criminal history records for persons whose countries of birth are included in the NSEERS requirement for registration. During this process, the INS added a total of 179,500 criminal history fingerprint records to IDENT. As of mid-April 2003, these additions resulted in 3,440 individual matches. The INS also received about 4,500 fingerprint records of terrorists or suspected terrorists from the FBI, which it entered into IDENT.¹⁸

Although uploading more than 331,700 IAFIS fingerprint records into IDENT demonstrated the potential value of a fully integrated system, it falls well short of the capability offered by full integration of all 40 million IAFIS fingerprint records. Without a fully integrated system, there is:

- No guarantee that all aliens encountered by the INS will be processed through IAFIS. While waiting for full integration, the INS and JMD agreed that the INS would take ten fingerprints of aliens and process them through IAFIS only as long as INS operations were not impeded and no safety concerns were created in INS field offices. If that situation occurred, the INS would temporarily cease processing the aliens in IAFIS.
- No capability for a direct automated query of IAFIS through IDENT. The files added to IDENT must be identified, processed, and uploaded into IDENT every two weeks. This interim process does not permit the query of all IAFIS records, only those uploaded into IDENT.
- Limited ability for federal, state, and local law enforcement agencies to access IDENT fingerprint records through IAFIS.

¹⁸ For security reasons, the number of matches is not releasable.

Conclusion

The integration of the IDENT and IAFIS automated fingerprint systems continues to proceed slowly. Since our last report, the integration project has fallen another year behind schedule and will be delayed further because of JMD's lack of planning for the INS's transfer to the DHS. The slow progress is even more troublesome because the interim enhancements to IDENT resulted in the positive identification of approximately 4,820 apprehended individual aliens with those of suspects wanted for criminal offenses. Until JMD and participating agencies ensure that all available IDENT and IAFIS fingerprint records can be searched, criminal aliens and potential terrorists who should be identified and detained may be missed. This is a significant risk to public safety and national security.

Although each of the delays incurred since JMD assumed responsibility for the integration effort in 1999 has been attributable to reasonable causes – the latest being development of NSEERS – full integration of the systems remains years away. In the past, JMD argued against proceeding with the integration without the necessary data to accurately project downstream operational costs because the costs may be significant and deserved further study. However, it has been 20 months since JMD slowed the integration project to do its Metric Study, but it has yet to field the integrated version needed to support the Study. Furthermore, JMD has not made the necessary transition plans to prevent further delays and lead the integration project to completion now that the INS is part of the DHS. As a result, there are divergent viewpoints among key officials regarding the future of the integration project.

Because of the enormous value of an integrated fingerprint system for identifying criminal aliens and terrorists attempting to enter the country, and the Department's focus to prevent terrorism, we believe JMD must act aggressively to prevent further delays. We again conclude that the Department should aggressively and expeditiously pursue the integration of the FBI and INS automated fingerprint systems.

Recommendations

We make four recommendations to JMD to better manage the IDENT/IAFIS project and prevent further delays. We recommend that the Assistant Attorney General for Administration:

1. Coordinate with the DHS to identify the management, deployment, and operational issues raised by the INS transfer to the DHS;

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2. Prepare a revised deployment plan with short- and long-range milestones to guide the integration project to the soonest possible completion;
 3. Brief the Deputy Attorney General's office on the revised deployment plan, and identify management controls and resources for the integration project; and
 4. Produce quarterly reports on the progress and interim results of the Metric Study.

APPENDIX I – JMD MANAGEMENT’S RESPONSE



U.S. Department of Justice

MAY 22 2003

Washington, D.C. 20530

2003 MAY 23 AM 3:04

MEMORANDUM FOR GLENN A. FINE

Inspector General

FROM:

Paul R. Corts *PRC*
Assistant Attorney General
for Administration

SUBJECT:

Comments on OIG Draft Report on the Status of IDENT/IAFIS
Integration

Thank you for the opportunity to comment on the Office of Inspector General’s (OIG) draft report entitled, “Status of IDENT/IAFIS Integration.” I appreciate the support for the project that is evident in the draft report. Integration of these two systems offers significant law enforcement benefits, and we are attempting to accomplish that goal as expeditiously as possible.

While I concur with the recommendations contained in the draft report, I would like to register comments on several aspects of the body of the report relating to the progress that has been made since the OIG’s last status report was issued. Significant progress has been made, which seems to be under-reported, and I believe it is important to register the progress. In other areas, there are assumptions or conclusions that may be uncharacteristic or inappropriate. My comments are presented below.

PROJECT PROGRESS

Repeated references in the report that the project has “fallen another year behind schedule” seem to imply that the project has been in limbo, and that little or nothing was accomplished since the last OIG status report was issued in December 2001. That conclusion appears to be based on the anticipated scheduled deployment date for version 1.2, which was the next workstation version scheduled to be deployed at the time of your last report. While this draft report indicates that “some progress” has been made, and briefly mentions version 1.1.1 (deployed in the fall of 2002) and version 1.1+ (currently in testing and scheduled for deployment this summer), little recognition is given to the revised scheduled deployment of two interim-versions. The report’s executive summary makes no reference to positive progress that has been made since the last OIG status report, an omission that leaves an inappropriate implication. Quite to the contrary of the implication that little or no progress has been made, several significant positive developments have occurred and/or are underway.

Version 1.1 was a stand-alone workstation with no capacity for future upgrades as an integrated IDENT/IAFIS client. Version 1.1.1 allowed further site deployments with workstation hardware components that could later be updated with a software upgrade. In fact, all pre-existing version 1.1 workstations have now been replaced by version 1.1.1 workstations, and the old hardware is being re-deployed to Detention and Removal operational locations where an integrated workstation is not critical. If version 1.1.1 had not been developed and deployed in the past year, only 10 sites would have access to IAPIS today in contrast to the more than 50 sites that now have access. This five-fold increase in sites with access seems worthy of recognition as significant progress toward the ultimate goal

Version 1.1+, currently in testing and scheduled for deployment this summer, for all intents and purposes will give us much of what we need from version 1.2. Most importantly, it will be the version that enables each apprehendee to be processed once, not twice (once in each system, using separate workstations). The elimination of dual processing, and the ability to clearly connect responses from both systems, will enable us to collect the data we need to measure the effect on the Department of Homeland Security's (DHS) Border Patrol and Inspections operations, accurately project other downstream impacts, and determine the most cost effective way to integrate the two systems.

The primary benefit version 1.2 will offer over version 1.1 + is full Joint Automated Booking System (JABS) functionality, specifically JABS-compliant mug shots. This capability, while important in fully extending the JABS program into these DHS functional areas, is not critical to the eventual integration of IDENT and IAFIS. Furthermore, creating an environment to take JABS-compliant mug shots will involve some significant degree of business process re-engineering in the deployed sites, a time-consuming process that would slow down other tasks more critical to the core project. While we admit that deployment of version 1.1 + has been delayed approximately 6 months, it is scheduled to be deployed this summer and its delay is largely attributable to the high priority given to the development and deployment of another powerful tool in our war on terror, the National Security Entry Exit Registration System (NSEERS).

NSEERS DELAYS

With respect to the NSEERS-related delays, your report indicates that the Immigration and Naturalization Service (INS) and the Justice Management Division (JMD) recognized immediately in July 2002 that NSEERS would cause delays, yet the Acting Assistant Attorney General for Administration (AAG/ A) did not raise the issue with senior Departmental managers despite frequent opportunities to do so. You report that NSEERS was scheduled to be deployed in September 2002 but was still being worked on in March 2003. You also report that five upgrades were made to NSEERS over this time period. This suggests that each delay to upgrade

NSEERS averaged 4-6 weeks. From the perspective of JMD, it was clear that NSEERS was a high priority for the Attorney General. Given that, and the fact that the duration of the conflict with NSEERS development was always less than 2 months at anyone time, it never seemed that any prospective delays to IDENT/IAFIS would be significant. Looking backward, given the eventual number of NSEERS upgrades, the cumulative delay was significant.

If we knew in July 2002 what we now know, alternative arrangements possibly could have been made. However, since it appeared that each delay would be of short duration, adding more resources to the project was not reasonable given the time it would take new staff and contract programmers to get up to speed. Further, the suggestion that coordinating the development of NSEERS upgrades with the integration project so that both projects could proceed is contrary to basic principles of system development. Both projects involved changes to the same two operational systems: IDENT and ENFORCE. To make simultaneous changes to the baselines of these systems would have jeopardized both projects as well as the existing operational systems.

Finally, your report states "JMD recommended that IDENT/IAFIS support NSEERS because JMD believed that it would benefit the IDENT/IAFIS project." The INS **therefore** directed the contractors and staff working on IDENT/IAFIS to instead work on the NSEERS project" (emphasis added). As indicated to your review team, INS worked on NSEERS at the direction of senior Departmental management. The only NSEERS-related support for the IDENT/IAFIS project was supplemental appropriation funding to deploy IDENT/IAFIS workstations to additional ports of entry to provide further identification capabilities to back-up and benefit NSEERS activities. Those added deployments did nothing to advance system integration efforts.

TRANSITION PLANNING

The report states that JMD has failed to address the serious management challenges created by the INS transfer to DHS and identifies two important consequences of JMD's lack of transition planning: lack of consensus among project participants regarding who should manage the future development and deployment, and potential loss of expertise of INS staff working on the project. With respect to the consensus issue, you report that JMD officials, the Counsel to the Attorney General, and FBI officials believe that project management should remain in DOJ while one INS/DHS official indicated that role should be transferred to DHS. It is not surprising that another agency's official would prefer that control over a project affecting that agency's information systems be located in his agency. I don't believe that position would change regardless of the amount of transition planning that is done. Clearly, Congress originally gave JMD the lead on this project and congressional staff have recently stated that they remain pleased with that decision. The fact that FY 2004 funding for the project was placed in the Department of Justice budget suggests that the Office of Management and Budget (OMB) and the President are satisfied with the current arrangement.

With respect to the potential loss of expertise, we can report that planning, development and deployment activities continue despite initial disruptions caused by the creation of DHS. We continue to work with the same personnel we dealt with when INS still existed, and we continue to make progress. As DHS personnel have settled in, we are making contacts with other officials that should be involved in the project, briefing them on the history of the project, and engaging them in planning its future directions.

JUNE 2003 REPORT TO CONGRESS

The draft report states, "We question JMD's approach to the congressional requirement because, according to JMD's own reasoning, the data it plans to use to prepare the cost projections for Congress will be of limited value." We informed the review team that the report to Congress will not contain cost projections for the precise reasons stated in your report. We plan to report some illustrative data gleaned from the initial deployment that underscore the need to continue this project, but we will point out that this data is not suitable for drawing national conclusions or making projections. As your report states, data suitable for those purposes will not become available until the version 1.1 + workstation has been deployed. The report to Congress will describe our plans for collecting such data and making those conclusions and projections in future follow-up reports.

RESPONSES TO RECOMMENDATIONS

As previously mentioned, I concur with the recommendations contained in the report. They propose a number of actions that are underway or planned and that would help ensure further progress in integrating the two systems. Our response to each is noted below.

1. Coordinate with the DHS to identify the management, deployment, and operational issues raised by the INS transfer to the DHS.

As stated previously, much planning and deployment activity has continued despite the INS transfer to DHS. Management and operational issues arise on occasion are being dealt with as they emerge. JMD has begun to meet with DHS officials who were not previously with INS in order to engage them in these activities and to respond to the Congressional question as to whether other DHS law enforcement components should be involved in the integration project. We anticipate these efforts will be on-going for the foreseeable future.

2. Prepare a revised deployment plan with short- and long-range milestones to guide the integration project to the soonest possible completion.

Now that conflicts with NSEERS development have ended and version 1.1 + is nearing deployment, we can develop a revised plan addressing further deployment and development activities. That revised plan is being prepared along with the FY 2005 budget submission and will be finalized after a Departmental review and budget decisions are made. This is anticipated by August 8, 2003. Of course, any subsequent revisions to the budget request by OMB could result in changes to that plan.

3. Brief the Deputy Attorney General's Office often on the revised deployment plan, and identify management controls and resources for the integration project.

We anticipate briefing the Deputy Attorney General and other senior Departmental managers as part of the FY 2005 budget process. At this time no date has been set, but it should occur this summer. Further briefings for those officials will be scheduled at their convenience.

4. Produce quarterly reports on the progress and interim results of the Metric Study.

Quarterly reports on the project's progress and interim results of the Metric Study will begin October 31, 2003 (30 days following the completion of the quarter ending on September 30), and will follow every 3 months thereafter.

APPENDIX II: OIG ANALYSIS OF MANAGEMENT'S RESPONSE

On May 1, 2003, the Office of Inspector General (OIG) provided a draft of this report to the Assistant Attorney General for Administration for comment. His response, dated May 22, 2003, is included in Appendix I. The response concurred with our four recommendations and commented on four issues identified in our report: the progress of the project, the role of the National Security Entry-Exit Registration System (NSEERS) in causing project delays, the planning for the transition of the Immigration and Naturalization Service (INS) to the Department of Homeland Security (DHS), and the data that the Justice Management Division (JMD) plans to use to prepare the June 2003 report to Congress. Our analysis of the comments on each of the four issues and each of the four recommendations follows.

Project Progress

With regard to our finding that the integration project was two years behind schedule, the response stated that we “imply that the project has been in limbo” and that little or nothing was accomplished since the OIG’s December 2001 report. Further, the response stated that our not mentioning in the Executive Summary that JMD deployed two interim versions was “an omission that leaves an inappropriate implication” that no progress has been made.

The Assistant Attorney General also stated that we gave little mention to the deployment of Version 1.1.1 to 50 sites, an increase beyond the originally planned 10 sites. Finally, the response criticized our focus on the failed deployment of the originally planned integrated Version 1.2, because it stated that another planned interim version (Version 1.1+) would provide “much of what we need” from Version 1.2.

OIG Analysis: We do not agree that our report characterized the IDENT/IAFIS integration project as being “in limbo” since December 2001. Rather, we acknowledged the progress cited by the response. Specifically, we described the expanded deployment of Version 1.1.1 to support the NSEERS project on page 14 of the report. We also described the development of Version 1.1+ on page 12, including explaining the functionality Version 1.1+ will provide and noting that it will enable JMD to proceed with the Metric Study. Nonetheless, those interim versions do not equate to the integrated version (Version 1.2) that JMD originally planned to deploy by December 2001. (See Table 2, page 12 for a functional description of each version.) In December 2001, we reported that the next major milestone for the project, deployment of Version 1.2, had been delayed until December 2002. That schedule was not met, and the deployment of Version 1.2 is now planned for December 2003. Consequently, the primary finding in our report was that the

integration project has continued to experience delays and has fallen further behind schedule.

Further, although the expanded deployment of Version 1.1.1 provided additional equipment that will support later deployments of the integration project, the response stated that deploying additional Version 1.1.1 workstations “did nothing to advance the system integration efforts.” Also, we note that the deployment of Version 1.1+ continues to slip further behind schedule. Originally scheduled for deployment in December 2002, JMD now plans to deploy Version 1.1+ in August 2003, at least eight months later than planned. Therefore, while we believe it is appropriate to recognize JMD’s interim actions in the body of the report, we conclude that the Executive Summary should address our finding that the integration project is now at least two years behind schedule.

NSEERS Delays

Regarding our finding that the reassignment of integration project resources to the NSEERS project delayed the integration project, the response stated that NSEERS was a high priority project for the Attorney General. Further, the response stated that the interruption was actually a series of short delays, none of which seemed significant taken individually. Therefore, JMD could not foresee that these short delays would ultimately accumulate to become the significant delay that has occurred. The response also stated that because each delay was short, JMD did not believe that it was feasible to assign additional resources to the project. The response also asserted that technical difficulties would have prevented both projects from being developed at the same time. Finally, the response conceded that, had JMD known from the outset that the delays would become significant “alternative arrangements possibly could have been made.”

OIG Analysis: We acknowledged the importance of the NSEERS project in the report. However, we continue to believe that JMD did not sufficiently recognize and advise senior Department officials of the integration project delays. That was especially true after the initial September 2002 NSEERS completion date passed and more integration project delays were expected. Because the cumulative effects of the integration project delays were not recognized and reported, senior Department officials were precluded from making “alternative arrangements.”

Transition Planning

Regarding our finding that JMD did not plan for the transition of the INS to the DHS, the response stated that our concerns regarding the lack of consensus about which agency should continue to manage the integration and

the loss of integration project expertise were unfounded. The response stated that the lack of consensus was not surprising. Further, notwithstanding the lack of consensus, JMD has assumed that, based on congressional feedback and the inclusion of project funding in JMD's budget, it will continue to manage the integration project. The response further stated that there has been no loss of project expertise; stated that JMD continues to interact with the same individuals formerly from the INS who are now part of the DHS; and described efforts by JMD to reach out to DHS officials to keep the integration project moving forward.

OIG Analysis: The response's focus on the lack of consensus and the potential loss of project expertise misses our point that, as the integration project manager, JMD failed to exercise its responsibilities to plan and manage the integration project during the transfer of the INS to the DHS. Further, we are concerned that the response implied that transition planning was not required. We strongly disagree. The integration of IDENT and IAFIS is a complex project with significant national security implications. To allow the project to move forward into the new multi-agency environment without adequate planning and agreement about roles and responsibilities is risky. If JMD believed that it had a mandate to continue to manage the integration project, then it was incumbent on JMD to take full responsibility for leading the planning and execution of the transition.

June 2003 Report to Congress

Regarding our finding that the June 2003 report to Congress will not contain the required data to project operational costs, the response stated that JMD was fully aware of the limitations of the data it was collecting. The Assistant Attorney General also stated that the report will contain "some illustrative data gleaned from initial deployment" and that JMD will advise Congress that the "data is not suitable for drawing national conclusions or making projections."

OIG Analysis: In response to the statement that JMD will advise Congress on the limitations of the data presented in the June 2003 report, we added a sentence in the appropriate section of the final report acknowledging that planned action.

Recommendation 1 – Resolved – Open.

The response agreed with our recommendation to coordinate with DHS officials concerning the integration project. The response stated that "management and operational issues arise on occasion [and] are being dealt with as they emerge."

OIG Analysis: JMD's meeting with DHS officials to manage the day-to-day operations of the integration project is a positive step. However, JMD does not describe how it plans to identify the management, deployment, and operational issues associated with the integration, and does not discuss how it plans to resolve the issues. Further, managing issues as they arise is an example of the reactive approach that we criticize in our report and that we believe has contributed to growing delays in the integration project. Effective project management and planning depends on a rigorous examination of the challenges that must be addressed to complete the project. As the integration project lead, JMD should proactively identify the management, deployment, and operational issues facing the integration project, including those that result from the INS moving to the DHS. To close this recommendation, please provide us with a copy of the transition issues and a plan to address them by August 15, 2003.

Recommendation 2 – Resolved – Open.

The response agreed with our recommendation to revise the integration project development and deployment plan.

OIG Analysis: Please provide us with a copy of the revised integration project development and deployment plan by August 15, 2003.

Recommendation 3 – Resolved – Open.

The response agreed with our recommendation that JMD brief the Deputy Attorney General and other senior Department officials on the revised development and deployment plan. The response stated that this briefing will be part of the fiscal year 2005 budget process with further briefings to "be scheduled at their convenience."

OIG Analysis: Briefing the Deputy Attorney General and other senior Department officials as a part of the budget process is responsive to this recommendation if the briefing clearly identifies how the issues associated with the INS's move to the DHS will be addressed and describes JMD's plan to keep the integration project on schedule. Please provide us with a copy of the briefing materials by August 15, 2003.

Recommendation 4 – Resolved – Open.

The response agreed with our recommendation to produce quarterly reports on the progress of the integration project and interim results of the Metric Study. The first report will be issued on October 31, 2003, with results from the quarter ending September 30, 2003.

OIG Analysis: Please provide us with a copy of the first report provided to the Deputy Attorney General and other senior Department officials by October 31, 2003.